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JILL ABESHOUSE STERN
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April 30, 1996

Mr. William Caton
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Dear Mr. Caton:

On April 29, 1996, the undersigned counsel to the Coalition for a Competitive Paging Industry and Kevin O'Brien, the Coalition's coordinator, met with the following Commission Staff: David Furth, Chief, Commercial Wireless Division; James Bennett, Chief, Narrowband Commercial Radio Branch; Mika Savir, Staff Attorney, Commercial Wireless Division; and Jay Jackson, Senior Engineer, Commercial Wireless Division. The purpose of the meeting was to clarify certain aspects of the First Report and Order in WT Docket No. 96-18 and PP Docket No. 93-253, as detailed in the attached letter.

Sincerely,


Jill Abeshouse Stern

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David Furth
Chief, Commercial Wireless Division
Federal Communications Commission
2025 M Street, N.W.
Room 7002
Washington, D.C. 20554

Re: First Report and Order (WT Docket No. 96-18; PP Docket No. 93-253)

Dear Mr. Furth:

This letter follows up on our April 29, 1996 meeting with respect to the above-referenced Order, released April 23, 1996, modifying the interim licensing rules for paging applications. During the meeting, you clarified various aspects of the interim licensing rules. These clarifications are summarized below.

- The First Report and Order indicates (in paragraphs 26 and 29) that competing applications may be filed against incumbent "expansion" applications. Although not explicitly stated, the Commission did not intend to modify current policy which allows competing applications only if current protection standards are met. In other words, to be acceptable for filing, competing applications must otherwise be grantable.
- The Commission did not intend to modify current policy with respect to the resolution of mutually exclusive situations involving incumbent licensees.
- For purposes of the 40-mile exemption, a "licensed" site for both CCP and PCP channels means one for which an authorization has been issued by February 8, 1996 regardless of when the site is constructed. The reference in paragraph 26 to incumbents who have "earned" local or regional exclusivity on a PCP channel

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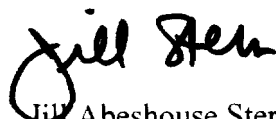
David Furth
April 30, 1996
Page 2

does not impose an obligation to have constructed a particular number of sites before an expansion application may be filed; the incumbent may file for an expansion site based on any constructed site that was licensed by February 8, 1996.

- Part 22 incumbents filing 40-mile expansion applications are not limited to applying for one channel at a time. Existing rules providing that applications within 40 miles are not considered new will apply. With respect to UHF/VHF incumbents, the 40-mile expansion criteria will supersede the 50% overlap rule (to the extent that the overlap rule may be more restrictive.)
- Where the incumbent has been licensed to use paired channels (e.g., 454/459), its license, for purposes of the 40-mile expansion, will be treated as including both channels.
- Requests for exclusivity on PCP channels do not require affirmative action by the Commission. Licensees will be entitled to protection for any sites constructed. The Commission does not intend to release a "Group B" list.
- In light of the new processing procedures for PCP channels, which do not require coordination, there is no reason for requiring that applications continue to be submitted to PCIA for coordination. These PCP applications can be filed directly with the Commission as is the case for comparable CCP applications. Although unnecessary, if for administrative reasons, the FCC prefers to have the applications submitted through PCIA, applicants should not be subjected to a coordination fee by PCIA since coordination is no longer required.

The foregoing confirms my understanding of the issues discussed during our meeting. Please let me know immediately if my understanding is incorrect in any respect.

Sincerely,



Jill Abeshouse Stern
Counsel to the Coalition for a
Competitive Paging Industry